IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2193 of 2007()

(CRIME NO.39/2007 OF NEMMARA POLICE STATION)

PETITIONER/ACCUSED:

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1. SUNEER, S/O. BASHEER, AGED 24 YEARS,
   RESIDING NALPAMTHODI, OLIPPARA,
   KAYARADI, PALAKKAD DISTRICT.

2. BASHEER, S/O. MOOSAKUTTY, AGED 31 YRS,
   RESIDING AT NALPAMTHODI, OLIPPARA,
   KAYARADI, PALAKKAD DISTRICT.

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   NEMMARA POLICE STATION, PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2193/2007

Dated this 12th day of April, 2007

O R D E R

The petitioners, who are accused Nos. 1 and 2 in Crime No.39/2007 of Nenmara Police Station for offences punishable under Sections 341, 326 and 308 IPC read with Section 34 IPC, seek anticipatory bail. The occurrence took place on 4.3.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their applications for bail considered by the Magistrate having jurisdiction.

4. Accordingly, the petitioners shall surrender before the investigating officer on any day between 19-4-2007 and 21-04-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter, be produced on the same day before the Magistrate who shall

consider their applications for regular bail preferably on the same date on which such applications are filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs